

Decision Record
Halfway-Brownlee Fiber Optic Line OR 56727

Recommendation

I recommend that a right-of-way for the construction, use, and maintenance of a buried fiber optic telecommunication cable, along with the necessary connecting boxes and pedestals, be granted to Pine Telephone System, Inc. The right-of-way would be located on the following public lands:

Willamette Meridian

T. 8S., R. 46E.

sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$

T. 8S., R. 47E.

Sec. 19, lots 2,3,4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 25, lots 1,2,3,5,6,12

Sec. 26, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 28, S $\frac{1}{2}$ S $\frac{1}{2}$

Sec. 29, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

T. 8S., R. 48E.

Sec. 30, lot 1

Sec. 19, lot 6

The route of the right-of-way is more precisely described in No. A.1. of the attached stipulations.

The length and width of the right-of-way is to be 43000 feet by 15 feet. The term of the grant should be 10 years, in accordance with Instruction Memorandum No. 2001-080.

Additionally, I recommend that three Temporary Use Permits (TUPs) be granted in conjunction with this right-of-way. These TUPs would be for: a temporary construction width of 7 $\frac{1}{2}$ feet on each side of the right-of-way, an additional variable length and width to accommodate culvert maintenance or replacement to be accomplished along the route, and a staging area within the Dead Cow Gravel Pit.

This right-of-way and Temporary Use Permits should be granted pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) and be subject to the attached stipulations, which include those derived from mitigation measures in the application and environmental assessment as well as standard District and Resource Area stipulations. No rental is to be charged, since the project is a telephone facility eligible for financing pursuant to the Rural Electrification Act of 1936 (43 CFR 2803.1-

2(b)(1)(iii)).

Rationale

The proposed action will provide improved and more dependable telephone service, including enhancement of communications in times of emergencies, to the residents of Brownlee Village. The project will also reduce the possibility of damage to the Deer Creek Road during high runoff events, through the maintenance and/or replacement of several culverts on this road.

The environmental assessment prepared for the project indicates only minor impacts would occur to resources on public lands. The action conforms to the Baker Resource Management Plan, approved July 12, 1989, and is compatible with the Baker County zoning. It will not interfere with other uses of the public lands, with use of nearby private land, or with public access. It will not have an adverse impact on the production of energy.

s/Steve Davidson

September 5, 2002

Realty Specialist

Date

Decision

The recommendation and its rationale are adopted as my decision.

Ted Davis, acting

September 5, 2002

Field Manager

Date